Abstract Proceedings of the Travancore Legislative Council.

12 March 1891

The Council resumed its sitting.

M R Ry Shungarasa Iyer Avergal proved his

Mr F watts

M R Ry Rajarama Rao Avergal

M R Ry P. Rama Pillay Avergal

M R Ry Sivan Pillay Avergal

M R Ry K. Neelakanda Pillay Avergal

Section 330. The definition of a Revenue Court was left for consideration at the next session of the Council.

Section 350. The Police Superintendent's objection to detaining lunatics in the Taluk lock was considered and it was resolved to retain the section as it is, it being considered by Mr watts that if the Government wished to exclude the Taluk lock, they could do so by a departmental order.

It was proposed to omit Chapter XXXVI and to transfer section 372 to the chapter entitled 'Miscellaneous' as section 412, with the amendments that clauses (b) and (c) of paras 1 and 2 be omitted and for within Travancore in clause (a), the words in any part of Travancore be substituted Carried.

The Valia Coil Thampuran's memorial to His Highness the Maha Rajah was considered regarding exemption from trial by the ordinary Criminal Courts of certain persons allied to the Royal Family. The Council were of opinion that this was a matter of State policy which has to be

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first considered by Government and if they think it necessary to constitute a special court, then to direct a Bill to be brought in accordingly.

Carried.

Section 373. The omission of this section by the Select Committee was considered. Resolved that it was properly struck out, as here there is no necessity for delegation of powers to the Governor the Maharajah as in the case of the local Governments in British India.

Section 375. Mr Watts moved that the Select Committee's amendment in this section be omitted and the section as in the original restored.

Carried.

Section 376. Mr Raj Rajeswara Row M. moved that the last clause namely

"Any officer of police shall not be permitted to conduct the prosecution if he has taken any part in the investigation into the offence with respect to which the accused is being prosecuted" be omitted - as an officer of police is the best person to prosecute.

Carried.

Section 385. Mr Raj Rajeswara Row M. proposed that para 2 struck out by the Select Committee be restored with the following modification "When the witness resides out of Travancore, the case may be tried in any magistrate in the territory where the witness resides and for-

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worded for execution in such manner as the Government may direct."

Carried.

Section 391 — M.R.Ry. T. Rajaram Row Avergal proposed that the words 'Chemical Examiner' be substituted for 'Durbar Physician'

Carried.

Section 397 — M.R.Ry. T. Rajaram Row Aval proposed that the Select Committee's addition of the words 'or of the court of the magistrate of the first class' be omitted.

Carried.

Section 421 — The suggestion of the High Court to retain the section was considered. It was resolved that as magistrates have better means of enforcing attendance, this section be omitted.

Section 425 — M.R.Ry. Rajaram Row Aval proposed that in this section put in by the Select Committee the words "whenever any magistrate appointed under section 10 or 11 is prevented from discharging his duties for a period of time during which a successor cannot be or has not been appointed by Government, the District Magistrate may, during such period of time direct any magistrate subordinate to him to discharge the duties of such first named magistrate

Provided that the appointment shall not confer higher powers than those possessed by the magistrate so appointed

Carried.

Section 409 — M.R.Ry. Rajaram Row Aval

that the latter part of clause 3 relating to committal by the Appellate Court be retained.

M.R.Ry P. Rama Pillay Avergal proposed an amendment that the whole of that clause be retained. On being put to the vote M.R.Ry Rama Pillay Avergal's amendment was carried by a majority of 4, thus -

M.R.Ry Shungoonny Menon Avergal
Mr Wirth
M.R.Ry Rama Pillay Avergal
M.R.Ry Sivan Pillay Avergal
M.R.Ry Seshaiyenda Pillay Avergal

being for and

M.R.Ry Rajaram Rao Avergal

being against the proposal.

Section 434. M.R.Ry Rajaram Rao Avl proposed that the addition made by the Select Committee in regard to appeals permitted by the Superior Court be omitted.

Carried.

M.R.Ry Rajaram Rao Avergal moved that the Bill as now amended be carefully revised and printed and read again at the next session.

Carried.

P. Rama Pillay
President

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